



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Public Hearing to Consider Adoption **of** Resolution Setting Storm Drainage Permit Compliance Inspection Fees for Wet Season Construction Inspection

MEETING DATE: April **18,2007**

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Conduct a public hearing to consider adoption of a resolution setting Storm Drainage Permit Compliance Inspection Fees for wet season construction inspection.

BACKGROUND INFORMATION: The State Water Resource Control Board issued to the City of Lodi Permit WDID No. 5B39NP00028 that governs the discharge of storm water runoff. A condition of that permit requires that regular wet season inspections of construction site best management practices (BMP's) be performed for all regulated construction sites. Construction activities can alter natural drainage patterns and affect runoff water quality, adding pollutants to the areas river and delta environments. BMP's fall into two categories: erosion and sediment control (i.e., straw mulch, dikes, swales. and bank stabilization) and source control or "good housekeeping practices" (i.e., water conservation practices, vehicle cleaning, concrete washout control, and stockpile covers). The inspections will take place over the wet season that is defined as October 1 through April 15. The State's initial review of our inspections reports indication that more frequent inspections per project are required and this exceeds the City's ability to meet the State's requirements without the addition of inspectors.

Storm Drainage Permit Compliance Inspections are a new service to be provided by the City. Staff recommends that the City Council adopt these new fees that would be collected at the time of approval of an Improvement Agreements and/or at issuance of a Building Permit. The fee per site will vary depending upon the time and length of the construction period. The first monthly construction inspection would include additional effort to document existing conditions and to set up the Inspection Log Report. Subsequent monthly inspections would continue until the completion of construction and could span more than one construction season. The following fee structure is recommended.

1. First Monthly Construction Inspection \$156 each
2. Subsequent Monthly Construction Inspection \$119 each

The fee structure is based upon the inspection proposal provided by WGR Southwest, Inc. At a subsequent Council meeting, staff will request City Council approval of a professional services agreement with WGR Southwest, Inc., to perform the required inspections. The proposed fees include a 25% markup to cover administrative costs of the City.

APPROVED:

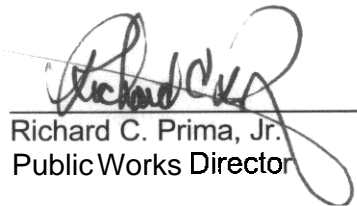

Blair King, City Manager

The fees will become effective 30 days after the date of adoption of the resolution. It is anticipated the first inspections will occur in October 2007. The fees will be annually adjusted on July 1, using the Cost of Living Index (San Francisco Urban Area). The first adjustment will take place July 1, 2008.

Staff requests the City Council adopt a resolution establishing Storm Drainage Permit Compliance Inspection Fees for wet season construction inspection and setting the fees as recommended above

FISCAL IMPACT: Revenues from the new fees will offset the cost of required inspections

FUNDING AVAILABLE: Not applicable.



Richard C. Prima, Jr.
Public Works Director

Prepared by F. Wally Sandelin, City Engineer/Deputy Public Works Director

RCP/FWS/pmf

RESOLUTION NO. 2007-_____

A RESOLUTION OF THE LODI CITY
COUNCIL SETTING STORM DRAINAGE
PERMIT COMPLIANCE INSPECTION FEES

=====

WHEREAS, the Lodi Municipal Code requires the City Council, by resolution, to set fees for various services provided by the City of Lodi to recover those costs associated with providing specific services and programs; and

WHEREAS, the State Water Resources Control Board issued to the City of Lodi Permit WDID No. 5B39NP00028 that governs the discharge of storm water runoff; and

WHEREAS, a condition of that permit requires that regular wet season inspections (October 1 through April 15) of construction site best management practices (BMP's) be performed for all regulated construction sites; and

WHEREAS, staff recommends approval of the following fee structure to be collected at the time of approval of the Improvement Agreements and Building Permits to cover the costs associated with furnishing this service:

- | | | |
|----|--|---------------|
| 1. | First Monthly Construction Inspection | \$156.00 each |
| 2. | Subsequent Monthly Construction Inspection | \$119.00 each |

NOW, THEREFORE, BE IT RESOLVED that the City Council finds as follows:

1. That the establishment of Storm Drainage Permit Compliance Inspection Fees are necessary to insure that regular wet season inspections (October 1 through April 15) of construction site best management practices (BMP's) be performed for all regulated construction sites and that all inspections are properly recorded; and
2. That the following fee structure be collected at the time of approval of the Improvement Agreements and Building Permits to cover the costs associated with furnishing this service:

1.	First Monthly Construction Inspection	\$156.00 each
2.	Subsequent Monthly Construction Inspection	\$119.00 each
3. That all resolutions or parts of resolutions in conflict herewith are repealed insofar as such conflict may exist; and
4. That this resolution shall be published one time in the "Lodi News-Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi, and shall be in force and take effect immediately upon its adoption.

Dated: April 18, 2007

=====

I hereby certify that Resolution No. 2007-____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held April 18, 2007, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL
City Clerk

2007-____



***Please immediately confirm receipt
of this fax by calling 333-6702***

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

**SUBJECT: PUBLIC HEARING TO CONSIDER RESOLUTION SETTING
STORM DRAINAGE PERMIT COMPLIANCE INSPECTION FEES
FOR WET SEASON CONSTRUCTION INSPECTION**

PUBLISH DATE: SATURDAY, MARCH 10, 2007

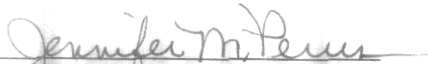
LEGAL AD

TEAR SHEETS WANTED: One (1) please

SEND AFFIDAVIT AND BILL TO: RANDI JOHL, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, MARCH 8, 2007

**ORDERED BY: RANDI JOHL
CITY CLERK**


JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

DANA CHAPMAN
ADMINISTRATIVE CLERK

Verify Appearance of this Legal in the Newspaper – Copy to File

LNS Faxed to the Sentinel at 369-1084 at _____ (time) on _____ (date) _____ (pages)
Phoned to confirm receipt of all pages at _____ (time) _____ JI T _____ DRC _____ JMP (initials)



DECLARATION OF POSTING

PUBLIC HEARING NOTICE TO CONSIDER RESOLUTION SETTING STORM DRAINAGE PERMIT COMPLIANCE INSPECTION FEES FOR WET SEASON CONSTRUCTION INSPECTION

On Friday, March 9, 2007, in the City of Lodi, San Joaquin County, California, a Public Hearing Notice to consider resolution setting Storm Drainage Permit Compliance Inspection Fees for wet season construction inspection (attached and marked as Exhibit **A**) was posted at the following locations:


Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 9, 2007, at Lodi, California.

ORDERED BY:

RANDI JOHL
CITY CLERK


JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

DANA R. CHAPMAN
ADMINISTRATIVE CLERK



CITY OF LODI

Carnegie Forum

305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: April 18, 2007

Time: 7:00 p.m.

For information regarding this notice please contact:

Randi Johl,

City Clerk

Telephone: (209)333-6702

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, April 18, 2007**, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) Resolution setting Storm Drainage Permit Compliance Inspection Fees for wet season construction inspection

Information regarding this item may be obtained in the Public Works Department, 221 West Pine Street, Lodi, (209) 333-6706. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk, City Hall, 221 W. Pine Street, 2nd Floor, Lodi, 95240, at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the close of the public hearing.

By Order of the Lodi City Council:

Randi Johl
City Clerk

Dated: March 7, 2007

Approved as to form:

D. Stephen Schwabauer
City Attorney



DECLARATION OF POSTING

CONTINUED PUBLIC HEARING NOTICE TO CONSIDER RESOLUTION SETTING STORM DRAINAGE PERMIT COMPLIANCE INSPECTION FEES FOR WET SEASON CONSTRUCTION INSPECTION

On Friday, April 20, 2007, in the City of Lodi, San Joaquin County, California, a Public Hearing Notice to consider resolution setting Storm Drainage Permit Compliance Inspection Fees for wet season construction inspection (attached and marked as Exhibit A) was posted at the following locations:

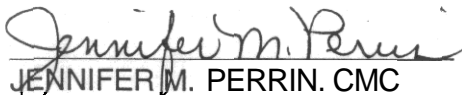
Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 20, 2007, at Lodi, California.

ORDERED BY:

**RANDI JOHL
CITY CLERK**


JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

DANA R. CHAPMAN
ADMINISTRATIVE CLERK



CITY OF LODI

Carnegie Forum

305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

[Date: May 2, 2007

Time: 7:00 p.m.]

For information regarding this notice please contact:

Randi Johl,

City Clerk

Telephone: (209) 333-6702

EXHIBIT A

NOTICE OF CONTINUED PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, May 2, 2007**, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) Resolution setting Storm Drainage Permit Compliance Inspection Fees for wet season construction inspection

Information regarding this item may be obtained in the Public Works Department, 221 West Pine Street, Lodi, (209) 333-6706. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk, City Hall, 221 W. Pine Street, 2nd Floor, Lodi, 95240, at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the close of the public hearing.

By Order of the Lodi City Council:

Randi Johl

City Clerk

Dated: April 18, 2007

Approved as to form:

D. Stephen Schwabauer
City Attorney